

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

HEATHER DEPUY,

Plaintiff,

V.

CAROLYN COLVIN, Acting Commissioner
of Social Security,

Defendant.

8:14CV10

ORDER

This matter is before the court upon Plaintiff's application for attorney fees pursuant to §206(b)(1) of the Social Security Act, 42 U.S.C. § 406(b)(1). Defendant has no objection to the awarding of fees and expenses in the amount of \$3,004.75, the amount requested by Plaintiff's counsel for work done at the federal court level. This amount represents 17.17 hours of attorney work at \$175.00 per hour.

The Plaintiff was the prevailing party in this action; the Commissioner's decision was reversed and the matter was remanded for further proceedings; the position of the Commissioner was not substantially justified; the application for fees was filed in a timely fashion; and the Plaintiff's net worth did not exceed \$2 million when the action was filed. Plaintiff therefore is entitled to an award of reasonable attorney fees, and the requested amount is reasonable.

Accordingly,

IT IS ORDERED:

- 1) Plaintiff's application for attorneys fees (filing no. 23) is granted; and
- 2) By separate document, the court will enter judgment for Plaintiff and against Defendant providing that Plaintiff is awarded attorney fees of \$3,004.75.

March 21, 2016.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge